IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7741 OF 2005

Anil Dattatray Bhosale Applicant

versus

The State of Maharashtra Respondent

U.V.Arolkar for applicant.

S.S.Pednekar, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 30th November 2005

PC :

1. The applicant applies for bail in pursuance of his arrest in case registered with D.C.B; C.I.D. Unit-III. C.R.No.64/2005 has been registered for offences under section 465, 466, 467, 471, 420 and 120B read with 34 of IPC as well as Section 12 of Passport Act.

2. The C.R. has been registered at the instance of Police Sub Inspector, D.C.B; C.I.D. Unit-III pursuant to a report on television about death of Suresh Krishnakant, an Indian citizen in Thailand, the complainant was alerted.

Complainant states that deceased was belonging to Chota Rajan Gang and name of the deceased was in fact Balu Dokre. It appears that he visited the said country on a passport which was issued to him on the basis of false and bogus documents such as ration card, school leaving certificate etc.. Alerted by this, complainant states, that several such cases were discovered at the passport office. Nearly 64 passports have been issued on the basis of such bogus and false certificates. The case against applicant is that while the said passports were issued he assisted passport aspirants by submitting false verification report of address.

3. It is pointed out in the application that investigation is complete and the charge sheet is filed. Necessary documents and records including blank school leaving certificates and ration card have been seized. Premises of the concerned persons have been sealed. It is contended that applicant is Police Constable and the earning member of his family. Applicant will not abscond. Learned counsel for applicant states that other co-accused have since been released on bail, the applicant may be released on bail by applying principle of parity.

4. Accordingly, following order :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.64/2005 registered with Worli Police Station, subject to furnishing a personal bond of Rs.10,000/- (Rs.Ten thousand only) with one or two sureties in the like amount;

(ii) The applicant shall report to DCB, CID Unit III on every Friday between 10.00 a.m. and 12.00 noon. The applicant shall not leave Mumbai City limits without prior permission of the Investigating Authority;

(iii) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

(iv) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

(v) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial.

(vi) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)